

2016.0112.50252

**MSD**  
RY 28-414  
126 E. Lincoln Avenue  
PO Box 2000  
Rahway, NJ 07065  
merck.com



January 5, 2016

**VIA FACSIMILE  
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

**FACSIMILE (609) 826-4975  
CERTIFIED MAIL 7011 1150 0001 2979 4121**  
Commissioner of Health and Senior Services  
NJ Department of Health and Senior Services  
Consumer, Environmental and Occupational Health Services  
135 E. State Street  
P.O. Box 369  
Trenton, New Jersey 08625-0369  
ATTN: Jim Vermeychuk

**FACSIMILE (609) 633-0664  
CERTIFIED MAIL 7011 1150 0001 2979 4138**  
Commissioner of Labor and Workforce Development  
NJ Department of Labor  
Division of Public Safety & Occupational Safety & Health  
Asbestos Control & Licensing Section  
1 John Fitch Plaza, 3d Floor  
P.O. Box 949  
Trenton, New Jersey, 08625-0949

Re: Request for Waiver of 10-day Asbestos Notification due to Emergency Circumstances  
Revised Notification of Demolition and Renovation  
N.J.A.C. 8:60-7.2 and N.J.A.C. 12:120-7.2

Dear Commissioner:

The Merck Sharp & Dohme Corp., Rahway, NJ facility (Merck) is requesting a waiver of the 10-day asbestos abatement notification requirement due to an unexpected situation of a serious and urgent nature that demands immediate action which has occurred during the demolition of the Building 97 Cooling Tower that is part of the B97 Complex. No asbestos containing material (ACM) was identified in the cooling tower as part of the Asbestos Materials Survey conducted from November 2013 to January 2014. The demolition of B97 Complex was the subject of a previous notification submitted on May 2, 2014 and corrected on May 6, 2014.

On December 24, 2015 at approximately 12:00pm, during the demolition of cooling tower at the Rahway site, suspected asbestos containing material (ACM) was identified on piping which became visible during demolition of the cooling tower. Upon identification of the suspect ACM, all work was ceased and the suspect ACM was sampled. Analysis indicates that the material contains asbestos.

Schenk to Commissioners DHSS and DOL

Request for Waiver of 10-day Asbestos Notification due to Emergency Circumstances

January 5, 2016

This ACM was not visible, not accessible for testing and not discovered until after demolition began. The amount of ACM is estimated to be 3 linear ft of pipe insulation.

Merck is requesting this waiver to the 10-day notification for abatement of the asbestos because the cooling tower demolition was in progress and leaving the cooling tower in its current state presents a potentially unsafe situation. Please note that the Merck Rahway Site was closed from December 24, 2015 to January 3, 2016.

Merck requests that this waiver be authorized so that the asbestos abatement may begin on January 6, 2016. Please see the asbestos abatement and demolition notification form attached.

Please contact Ms. Kathi Bragdon at (732) 594-7558 or e-mail at [kathi.bragdon@merck.com](mailto:kathi.bragdon@merck.com) if you have any questions or need additional information.

Sincerely,

  
Sandra Schenk

Attachments

cc: **CERTIFIED MAIL 7011 1150 0001 2979 4145**

Asbestos/NESHAPS Notification  
U.S. Environmental Protection Agency – Region 2  
Division of Enforcement and Compliance Assistance  
Air Compliance Branch (DECA-ACB)  
290 Broadway, 21<sup>st</sup> Floor  
New York, NY 10007-1866  
ATTN: Victor Tu

## NOTIFICATION OF DEMOLITION AND RENOVATION

<b>DATE (mo/day/yr): January 5, 2016</b>							
<b>I. FACILITY INFORMATION</b> (Identify owner, removal contractor, and other operator)							
<b>AGENCIES NOTIFIED:</b> (X) EPA ( ) DEP (X) DOL (X) DOH ( ) DCA							
<b>OWNER:</b> MERCK SHARP & DOHME CORP.							
<b>Address:</b> 126 EAST LINCOLN AVENUE , P.O. Box 2000, RY28-414							
<b>City:</b> RAHWAY		<b>State:</b> NJ		<b>Zip:</b> 07065			
<b>Contact:</b> Sandra M. Schenk				<b>Tel:</b> (732) 594-7746			
<b>II. REMOVAL CONTRACTOR:</b> PAR Environmental Corporation							
<b>License Number:</b> 01101							
<b>Address:</b> 313 Spook Rock Road							
<b>City:</b> Suffern		<b>State:</b> New York		<b>Zip:</b> 10901			
<b>Contact:</b> Gabe Quinones				<b>Tel:</b> (215) 365-5810			
<b>OTHER OPERATOR:</b>							
<b>Address:</b>							
<b>City:</b>		<b>State:</b>		<b>Zip:</b>			
<b>Contact:</b>				<b>Tel:</b>			
<b>III. TYPE OF NOTIFICATION</b> (O = Original/R = Revised/C = Cancelled): <b>Original</b>							
<b>IV. TYPE OF OPERATION</b> (D = Demolition/R = Renovation/O = Ordered Demo/E = Emergency Renovation): ( ) Large [>160 SF or >260 LF] ( ) Small [< 160, > 25 SF or <260, >10 LF] ( D ) Minor [<25 SF or <10 LF] ( ) Full Containment / Neg. Press. ( ) Mini-Enclosure ( D ) Glovebag Procedure							
<b>V. IS ASBESTOS PRESENT?</b> YES (Yes/No)							
<b>VI. FACILITY DESCRIPTION</b> (Include building name, number and floor or room number)							
Occupancy Status During Abatement ( X ) Facility Closed/Vacated ( ) Abatement Performed Outside of Normal Hours							
Describe: Bldg. 97 Cooling Tower							
Address: SAME AS ABOVE							
<b>City:</b>		<b>State:</b>		<b>County:</b> UNION			
<b>Site location:</b>							
<b>Building size</b>	<b>Sq. Meter:</b>	<b>Sq. Ft:</b> 1,000		<b># of Floors:</b> 0	<b>Age in Years:</b> 46		
<b>Present Use:</b> Vacant				<b>Prior Use:</b> Pharmaceutical Research & Offices			
<b>VII. PROCEDURE, INCLUDING ANALYTICAL METHOD, IF APPROPRIATE, USED TO DETECT THE PRESENCE OF ASBESTOS MATERIAL:</b> The Asbestos present at the site was identified with the procedures described in 40 CFR 763.							
<b>VIII. APPROXIMATE AMOUNT OF RACM TO BE REMOVED AND NONFRIABLE ASBESTOS MATERIAL THAT WILL NOT BE REMOVED. SPECIFY THE AMOUNT OF ASBESTOS BELOW.</b>							
		<b>RACM To Be Removed</b>	<b>Description</b>	<b>Type (Rem/Rep/ Encap/Enclose)</b>	<b>Custodial Use? (Y/N)</b>	<b>Non-friable Asbestos <u>Not</u> to Be Removed Cat I Cat II</b>	
Pipes -- Linear Feet		3	Pipe insulation	Removal	YES	N/A	N/A
<b>IX. SCHEDULED DATES OF ASBESTOS REMOVAL (MM/DD/YY)</b>				Start: 1/6/16 Completion: 1/15/16			
<b>X. SCHEDULED DATES OF DEMO/RENOVATION (MM/DD/YY)</b>				Start: Completion: Demolition in progress			
<b>Xa. DATE AND TIME OF DISPOSAL</b> (Quantity of waste to be disposed is the same as RACM to be removed as indicated in VIII)				<b>Date: on or after 1/31/2016</b> <b>Time: Between 7:00am &amp; 3:00pm</b>			
<b>XI. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHOD(S) TO BE USED:</b> Demolition and removal of entire cooling tower structure, pumps and piping.							
<b>XII. DESCRIPTION OF ENGINEERING CONTROLS AND WORK PRACTICES TO BE USED TO CONTROL EMISSIONS OF ASBESTOS AT THE DEMOLITION AND RENOVATION SITE:</b> Qualified contractors will perform all the work. All remediation work will be in accordance with 40 CFR 61.140-61.156 and NJ waste management handling and disposal requirements including wet removal.							

<b>XIII. MONITORING FIRM</b>			ASCM No: 00104
Name: Environmental Health Investigations, Inc.			OSHA Monitor: AmeriSci Laboratories Inc.
Address: 655 West Shore Trail			License No: 11480
City: Sparta, NJ 07871			State: NJ
Contact Person: William S. Kerbel, CIH			Tel: (973) 729-5649
<b>XIV. WASTE TRANSPORTER #1</b>			
Name: Freehold Cartage, Inc.			NJDEP Registration No.: 15939 (Required by N.J.A.C. 8:60-7.2(b)(8) & 12:120-7.2(b)(8))
Address: 825 Highway 33			
City: Freehold	State: New Jersey	Zip: 07728-5010	
Contact Person: Kenneth Reeves			Tel: (732) 462-1001 x 7220
<b>XV. WASTE DISPOSAL SITE #1</b>			
Name: Lycoming County Resource Management Services			
Address: 447 Alexander Drive / Route 15			
City: Montgomery	State: PA	Zip: 17752	
Telephone: (800) 326-9571			
<b>WASTE DISPOSAL SITE #2</b>			
Name:			
Address:			
City:	State:	Zip:	
Telephone:			
<b>XVI. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY, PLEASE IDENTIFY THE AGENCY BELOW</b>			
Name: NOT APPLICABLE			Title:
Authority:			
Date of Order (MM/DD/YY):			Date Ordered to Begin (MM/DD/YY):
<b>XVII. FOR EMERGENCY RENOVATIONS</b>			
Date and Hour of Emergency.(MM/DD/YY): December 24, 2015 @ 12:00pm			
Description of the Sudden, Unexpected Event: During the demolition of the B97 cooling tower at the Rahway site, suspected asbestos containing material (ACM) was identified on piping which became visible during demolition of the cooling tower.			
Explanation of How the Event Caused Unsafe Conditions or Serious Disruption of Industrial Operations: Structural demolition of the cooling tower was in progress at the time of the unexpected identification of ACM and leaving the cooling tower in its current state presents a potentially unsafe situation.			
<b>XVIII. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLED, PULVERIZED, OR REDUCED TO POWDER.</b>			
All work will cease until analysis has been completed and impact assessed. In case of crumbling, HEPA vacuum cleaning followed by wet wiping will be performed.			

NOTIFICATION OF DEMOLITION AND RENOVATION (Continued)

XIX. Form Completed By

Gerry Stankovitz – Project Engineer  
(Printed Name & Title)

Gerry Stankovitz  
(Signature of Preparer)

5-JAN-2016  
(Date)

XX. I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT THE REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS.  
(Required 1 year after promulgation)

Sandra Schenk  
(Signature of Owner/Operator)

01/05/2016  
(Date)

XXI. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT.

Sandra Schenk  
(Signature of Owner/Operator)

01/05/2016  
(Date)